

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

FRANKIE KEITH MOORE,

Plaintiff,

VS.

RICHARD PILKINGTON, *et al.*,

Defendants.

Case No. 2:06-cv-01705-RDP-PWG

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on December 22, 2006, recommending that this action be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). Plaintiff filed objections to the report and recommendation on March 2, 2007.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). A Final Judgment will be entered.

DONE and **ORDERED** this 7th day of March, 2007.

20 pm

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE